



Order Filed on February 11, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-1(b)	
DENISE CARLON, ESQUIRE KML LAW GROUP, P.C. Sentry Office Plz 216 Haddon Ave., Suite 406 Westmont, NJ 08018 (215) 627-1322 dcarlon@kmlawgroup.com Attorneys for Movant Fifth Third Bank	
In Re:	Case No.: 19-27933 CMG
Kelvin David Osorio,	Adv. No.:
Debtor.	Hearing Date: 11/20/2019
	Judge: Christine M. Gravelle

**ORDER RESOLVING FIFTH THIRD BANK'S OBJECTION TO DEBTOR'S
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED

DATED: February 11, 2020



Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtor: Kelvin David Osorio

Case No.: 19-27933 CMG

Caption: **ORDER RESOLVING FIFTH THIRD BANK'S OBJECTION TO
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Fifth Third Bank, the holder of a lien on Debtor's vehicle, a 2016 Kia Sportage, VIN: KNDPCCAC1G7860359, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for the Secured Creditor and David S. Waltzer, Esq., attorney for Debtor, and for good cause having been shown;

It is **ORDERED, ADJUDGED and DECREED** that Secured Creditor's lien shall be paid in full through Debtor's Chapter 13 plan at an interest rate of 6.00%; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the total due to Secured Creditor, including interest, shall be \$17,981.15, consisting of the total due at filing of \$15,501.42 and \$2,479.73 in interest that will accrue during the course of Debtor's Chapter 13 plan over 60 months;

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that if the length of Debtor's plan, the interest due under the plan will be adjusted accordingly, and this order is subject to amendment; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the Debtor shall maintain insurance on the vehicle in accordance with the terms of the loan documents during the entirety of this case and shall furnish proof of same annually and upon request;

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that Fifth Third Bank's lien shall remain on the subject vehicle until Debtor has completed all plan payments and receives a discharge in this case; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** Fifth Third Bank's lien will only be released upon the Debtor's receipt of his discharge and completion of his Chapter 13 Plan. Any dismissal of the case or conversion to a Chapter 7 will result in a full reinstatement of the lien; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the lien shall be released and extinguished upon the successful completion of the Debtor's Chapter 13 plan; and

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Debtor: Kelvin David Osorio

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It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that Fifth Third Bank shall file a release of the lien within 30 days of the date of the service of Debtor's discharge; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that in the event Fifth Third Bank fails to discharge the mortgage within the prescribed period, the Debtor and/or Debtor's counsel may file a certified or exemplified copy of this order, along with a copy of the bankruptcy discharge order, which shall have the same force and effect of a discharge of lien; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that Fifth Third Bank's objection to confirmation is hereby resolved.

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New Jersey

In re:
Kelvin David Osorio
Debtor

Case No. 19-27933-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 11, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 13, 2020.

db Kelvin David Osorio, 18 Roosevelt Ave, Apt. A, Carteret, NJ 07008

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 13, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 11, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com

David S Waltzer on behalf of Debtor Kelvin David Osorio waltzer@waltzerlawgroup.com,
jackie@waltzerlawgroup.com;waltzerdr93827@notify.bestcase.com

Denise E. Carlon on behalf of Creditor Fifth Third Bank dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com

Kevin Gordon McDonald on behalf of Creditor Fifth Third Bank kmcdonald@kmlawgroup.com,
bkgroup@kmlawgroup.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5